

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
DEMETRIUS WRIGHT,
LUIS VELEZ,

Plaintiffs, on behalf of
themselves and all others
similarly situated,

- against -

BRAE BURN COUNTRY CLUB, INC.,
STEVEN VANDO, individually and as General
Manager of Brae Burn Country Club,
MARIA CONTE, individually and as Controller of Brae
Burn Country Club,

Defendants.
----- X

08-CV-3172 (DC)

**AFFIDAVIT OF
STEVEN VANDO IN
SUPPORT OF
DEFENDANTS' MOTION
FOR SANCTIONS
PURSUANT TO
FED. R. CIV. P. 11
AND 28 U.S.C. § 1927**

FILED UNDER SEAL

STEVEN VANDO, being sworn states:

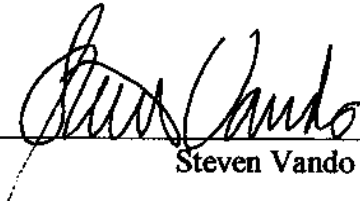
1. I am the General Manager of Brae Burn Country Club, Inc. ("Club"). I make this affidavit in support of the motion for sanctions submitted by the Club, Maria Conte and myself (collectively, "Defendants").

2. I was first hired in March 2007. Plaintiff Velez was not employed at any time when I was the Club Manager. Plaintiff Wright was employed by the Club until April 2007, but Plaintiff Wright did not work any overtime for the Club since the time of my hire.

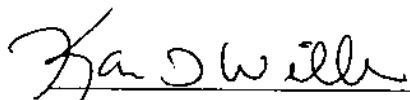
3. On or about August 27, 2007 (four months after his termination), Demetrius Wright filed a charge of discrimination against the Club with the Equal Employment Opportunity Commission.

4. The Club did not receive notice of the charge of discrimination until October 1, 2007.

5. The United States Department of Labor, Wage and Hour Division ("DOL") recently audited the Club. The DOL determined the amount of additional compensation due to all employees with respect to the requirements of the U.S. Fair Labor Standards Act. It was determined that Mr. Wright was entitled to \$119.10, and a check in this amount, minus applicable taxes, was sent to Mr. Wright on May 8, 2008. A copy of this check is attached hereto as Exhibit A.


Steven Vando

Sworn to before me this
2 day of August 2008


Notary Public

KAREN D. WILLIAMS
NOTARY PUBLIC - STATE OF NEW YORK
NO. 01-W18084649
QUALIFIED IN DUTCHESS COUNTY
MY COMMISSION EXPIRES 10-01-2009

EXHIBIT A

Earnings Statement



BRAE BURN COUNTRY CLUB
 BRAE BURN DRIVE
 PURCHASE, NEW YORK 10577
 PAYROLL ACCOUNT

Period Ending: 05/04/2008
 Pay Date: 05/08/2008

Taxable Marital Status: Single
 Exemptions/Allowances:
 Federal: 0
 State: 0
 Local: 0

DEMETRIUS WRIGHT
 204 SARATOGA AVE
 YONKERS, NY 10705

Social Security Number: XXX-XX-XXXX

Earnings	rate	hours	this period	year to date
Overtime			119.10	
Gross Pay			\$119.10	119.10

Deductions	Statutory		
	Federal Income Tax	-6.81	6.81
	Social Security Tax	-7.38	7.38
	Medicare Tax	-1.73	1.73
	NY SUI/SDI Tax	-0.60	0.60
Net Pay		\$102.58	

Your federal taxable wages this period are \$119.10

VERIFY DOCUMENT AUTHENTICITY - COLORED AREA MUST CHANGE IN TONE GRADUALLY AND EVENLY FROM DARK AT TOP TO LIGHTER AT BOTTOM

BRAE BURN COUNTRY CLUB
 BRAE BURN DRIVE
 PURCHASE, NEW YORK 10577
 PAYROLL ACCOUNT

FPB
 Payroll check number: 43441294
 Pay date: 05/08/2008

50-987/214

Pay to the order of: DEMETRIUS WRIGHT

This amount: ONE HUNDRED TWO AND 58/100 DOLLARS

\$102.58

ASSISTANCE WITH VERIFICATION AVAILABLE AT 877-423-7243

VOID AFTER 180 DAYS

HASE MANHATTAN BANK
 YRACUSE, NY



James B. Burton
 ADP AUTHORIZED SIGNATURE

43441294 0213093791 601851199